

# The Caledonian Mercury.

Edinburgh, Thursday, April 7, 1726.

*Conclusion of the Answer of the States General, to the Memorial of Count Coningsbeck Erps, &c.*

**T**HAT the 5th Art. of the said Treaty, with Respect to the E. Indies, declares very explicitly, That the Subjects of the K. of Spain, describ'd there by the Name of Spaniards, shall keep their Navigation they then had in the E. Indies, without being allowed to extend it further. That this Clause manifestly excludes the Subjects of the Aust. Netherlands in all Places of the K. of Spain, from Navigation in all Places of the E. Indies, which were not then possessed by Spain. That the Explication which seems offered with great Pains, to be put upon the Word *Spaniards*, as if that Word ought to be taken in a strict and limited Sense, and did not comprehend under it those who are indeed Subjects of Spain, but are not properly denominated Spaniards, appears to their H. Mightinesses to be very incongruous, and destitute of all Foundation: For according to this Way of explaining, the K. of Spain must have granted to those of his Subjects who were totally excluded from the Navigation to the East Indies, a greater Advantage than to the Spaniards, who alone had the Right of enjoying that Navigation: So that it is not to be presumed, with the least Colour of Probability, that this Explication is conformable to what was the Intention either of the Kings of Spain, or of their High Mightinesses, the contracting Parties at the Treaty of Munster; which is sufficiently confirm'd by the constant Usage observed in so long a Course of Years afterward. That they are very sorry to have the Misfortune not to be of the same Opinion with his Imp. and Cath. Majesty, as to the Sense of the said Treaty, and the Right resulting from it. That being entirely perswaded of their Right, and that Right being very essential to the Republick; they think they should do themselves a great Prejudice, if they should consent to the laying it down for the Foundation of the Negotiation about the said Commerce of the Austrian Netherlands to the Indies; That the same ought to subsist, particularly after so long a Declaration, made not only by Count Coningsbeck, but likewise by his Majesty the

King of Spain, of the Engagement which his Imp. and Cath. Majesty is under with the King of Spain, to maintain jointly the said Commerce in all Things; A Declaration that leaves them no great Hope of Success in such a Negotiation, and which at the same Time begets in them a just Scruple against accepting the Mediation of his Majesty the K. of Spain, on a Point with Respect to which he has enter'd into such strong Engagements; which point, their H. Mightinesses hold to be contrary to the Treaties, according to his Majesty the King of Spain's own Assertion not long ago. To which must be added, that the advantageous Propositions which it was said the Marquis de St. Philippe, Ambassador of Spain, would make after his Arrival, and of which such great Hopes were given to their H. Mightinesses, have amounted only to the proposing of a Negotiation, in such general Terms, that nothing certain can be drawn from them; and to the Offer of his Majesty the King of Spain's Mediation, upon which their H. Mightinesses have so much Reason to be scrupulous.

That besides they cannot avoid observing, That the Inclination express'd on the Part of his Imp. Majesty to a Negotiation, for coming to an Accommodation of the Differences subsisting, is tack'd to a Condition; that is to say, That their H. Mightinesses shall not accede to the Treaty of Hanover: That they think themselves obliged to preserve their Freedom entire, to accede to that Treaty, or not to accede to it; That whatever Resolution they may come to upon it, they shall always be in a Condition to treat upon these Differences; when Propositions shall be made to them that are acceptable.

That as to that Treaty, their H. Mightinesses have not the same Notion of it which C. Coningsbeck seems to have: For, as they have affirmed in their former Answers, they cannot but look upon the said Treaty to be purely defensive, and not tending to the Injury or Offence of any whosoever; That they have been confirm'd in this Opinion, by seeing in a Memorial of the M. de St. Philippe, that the K. of Spain himself thinks the Aim of this Treaty is the Preservation of the Peace; and that it is

not



not credible the Princes who concluded it, would disturb the Quiet of Europe.

That lastly, whatever Resolution may be taken with respect to the said Accession, their H. Mightinesses will ever preserve for his Imp. and Cath. Majesty, and for his valuable Friendship, the high Esteem they have always had, and the same Desire to live with him in perfect Harmony & Confidence, as also to cultivate a good Understanding between the Subjects on both Sides; which is never better maintained than by an exact Observation of Treaties, and letting them carry the Sense which has constantly been fix'd to them from the Beginning.

And a Copy of the present Resolution of their H. Mightinesses shall, by their Agent Baerbe, be put into the Hands of the said C. Coningsbeck-Erps.

*From the Evening Post, March 31.*

London, March 31. The Men of War ordered for the Baltick are as follows, viz.

<i>Ships.</i>	<i>Guns.</i>	<i>Captains.</i>
1 Torbay, - -	80 -	Nicolas Haddock.
2 Cumberland, -	80 -	- Colman.
3 Hampton-Court,	70 -	Robert Hughes.
4 Nassau, - -	70 -	- Morice.
5 Elizabeth, - -	70 -	Tudor Trevor.
6 Northumberland,	70 -	Robert Trevor.
7 Monmouth, - -	70 -	- Bunschkin.
8 Captain, - -	70 -	- Warwood.
9 Yarmouth, - -	70 -	- Obrian.
10 Prince Frederick,	70 -	- Huckingham.
11 Grafton, - -	70 -	- Charles Hardy.
12 Bedford, - -	70 -	- Hook.
13 Edinborgh, - -	70 -	- Rich. Hughes.
14 Plymouth, - -	60 -	- Man.
15 Preston, - -	50 -	- Reddish.
16 Assistance, - -	50 -	- Eiton.
17 Hampshire, - -	50 -	- Willat.
18 Advice, - -	50 -	- Brown.
19 Chatham, - -	50 -	- Whitney.
20 Weymouth, - -	50 -	- Kendal.
21 Portmahon, - -	20 -	- Morice.

Pool and Griffin Fireships.

*From the Post-Man, March ---*

In the Conference which was held at Warsaw the 1st of February last, the Bishop of Cracow made the following Speech.

**F**ORASMUCH as the Limitation of the Diet does in its own Nature exclude all the Formalities of a publick Council, I shall now offer to the Consideration of this Congress, some Reflections upon the State and Exigency of the present Juncture, not by way of Advice according to the Rules of Law,

but only as my private Opinion, without the Apparatus of study'd Expressions.

In the first Place, I return Thanks to his Majesty our most gracious Sovereign, for his Care to preserve and maintain the Peace both at home and abroad. In the second Place I thank the most high Prince the Primate, who is more accustomed to do Actions that are Praise-worthy than to court Applause. I likewise Return Thanks to the great Generals of the Army, those most vigilant Guardians of the Cities and the Frontiers of the Country, and of the publick Security. And finally, I thank all those whom the Love of their Country has engag'd to repair to this Congress, at the Hazard of their Estates and Health.

When the States of the Republic limited the last Diet, they made a positive Law, by which they referred three Things to his Majesty's Disposal, viz. The Care of the public Safety, or what is commonly called *The Russian Postpolie*; the resuming of the Diet, and the renewing the Conferences with the Foreign Ministers. We ought first to consider diligently of the first and 2d, viz. The Advice and Support of the Republic, and then determine, according to the Consequences Things may be attended with. Therefore when his Sacred Majesty, by the Superiority of his Knowledge, and his Paternal Foresight, and the Council now about him, shall see the Approach of the Danger wherewith he's threatened, (which GOD avert) and know that it is just at Hand, from what Quarter soever it may be; it will then be proper to call the Diet without Delay, and at the same time send the *Univerſalia*, or *Vici*, to put every one upon their Guard: Taking heed in the mean time, that neither such of the Subjects to whom War may be profitable, nor Foreigners, may take occasion from thence to begin the War, upon our first having sounded the Trumpet; and likewise, that the Republic does not suffer Prejudice by the Neglect of these Remedies.

It will moreover be requisite to reinforce the Garrisons of Thorn, Elbing and Posen, to which I exhort the Generals of the Army. The petty Diets in all the Palatinates should also be convok'd at the first Appearance of any Hostility, to supply the Place of Deputies; but if, as I hope by GOD's Grace, all Things continue quiet every where, it will be sufficient to call only the petty Diets which, having broke up without Success, had no Deputies.

As to the third Affair, viz. the Conferences with the Foreign Ministers: Forasmuch as the re-

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ciprocal Pretensions have been sufficiently debated and explained on both Sides, I am of Opinion, 1st, As to the old Disputes with the Court of Rome, about the Right of Patronage of the Abbeyes, &c. that this Affair ought to be prosecuted partly by continuing the Conferences and the Negotiations with the most Revd. the Apostolical Nuncio, and partly by the Representations of his Majesty's Ministers residing at Rome, at least to hinder the Prescription till the next Diet, when the Republick may resolve to send an extraordinary Embassy to the great City (Rome) with full Power to treat; and that some of the Points contested being granted, others moderated, and others obtained from the Holy See, an entire Accommodation may follow, not only by the Renewing, but also by an Augmentation of the old Agreement, which having commenced under Leo X. with Respect to the same Pretensions of the Right of Patronage of Bishopricks and other Benefices, have after long Conferences and more fatal Progress subsisted above 200 Years since 1523, between Sigismund I. and Clement VIII. as may be seen by the Acts preserved in the Records, and since printed and published.

*To be concluded in our next.*

*Wye's Letter verbatim, London, April 2.*

*Since our last arrived a Holland and French Mail.*

**L**etters from the Hague advise, that the Spanish Ambassador presented on the 1st Inst. a 2d Memorial to the States, representing, among other Things, That the King his Master believes he made use of his lawful Right, when after the Treaty of Vienna, his Majesty granted some Privileges and Easements to the Subjects of the Emperor, with whom he is a strict Ally.

'Tis very strange his Catholick Majesty should still entertain such an Opinion, after so many Memorials presented to him on the Part of the States General, and which do fully and clearly demonstrate he has no such Right. But notwithstanding (if we may credit what they write from Vienna) his Catholick Majesty has offered his Fleet to the Emperor, to be made use of jointly with that which (as they pretend) the King of Portugal designs to set out against the Potentates who shall disturb the Ostend Company in its Commerce. This is very opposite to the Accounts given, of the King of Portugal offering his Mediation between the Emperor and the States General.

As to what has been so often mentioned, of the Accession of the Swedes to the Treaty of Hanover;

the Advices from thence now relate, That in the last Assembly of the Senate, (the King present) one of the eldest of the Senators urged the Necessity of taking a wholesom Resolution, in contenting themselves with a bare Neutrality. Mean-time they go on with their great Preparations by Sea, and 'tis feared they are too much influenced by certain Powers, who are for making us subservient to their Ambition.

But there are private Letters from Vienna and Madrid by last Mail, which mention, that those two Courts are so much alarmed at the early and formidable Preparations by Sea in England, that it was believed they would, from a Consideration of their own Interest and Circumstances, drop their Pretensions, not being able to support them.

We hear the following Ships are put in Commission; Stirling-castle, Berwick, Kent, Royal Oak, Burford, Lenox, York, and Canterbury, all 70 Gun Ships except the two latter.

Yesterday the Commons, in a Committee, after another long Debate, went thro' the Bill for better securing the Moneys and Effects of the Suitors of the Court of Chancery. The Debate was about appointing a proper Person to take an Account of the Suitors Money depositate in the Bank, in the Nature of a Check in the Bank; and particularly whether his Place should be for Life or during Pleasure; at last the Committee divided, and carried it for the latter, Yeas 59, Noes 37. This Officer is to be appointed by the Lord Chancellor for the Time being.

We hear that Sir Richard Groves-Vanier, who lives at Peterburrow house near the Horse Ferry, Westminster, offers to build the Bridge at his own Expence, in case Leave be given to build it at Westminster, in which Neighbourhood Sir Richard has a very considerable Estate, and which doubtless will be much improved by building the Bridge there.

This Day the Lords heard the remaining Part of the Cause between Sir John Schaw and the Lady Houston; and the Interlocutors of the Lords of Session in Scotland were Affirmed.

Last Night the Number of the Polls stood thus: Alderman Thomson 1389, Alderman Brocas 901. 'Tis given out the Majority of the former was obtained not only by the great Numbers brought from Merchant Taylors, and Stationers Hall, but by a great Troop, he added by a Noble Lord and a Knight from Westminster; but there's an Act of Parliament lately passed for preserving the Freedoms of



of Elections of this City, the Pole to Night stood thus: Alderman Thomson 1896, Alderman Brocas 1234, but the Pole is to be continued on Monday.

*Brussels, April 4.* There is a Talk of holding a new Congress, to strengthen the Tranquillity of Europe.

*Edinburgh, April 7.* Died lately, and Yesterday was buried in the Gray Friars Church-yard, Michael Kincaid, Esq; formerly Officer to Br. George of Denmark, much regretted by all who knew him.

## ADVERTISEMENT.

¶ Upon Friday the 22d Inst. betwixt the Hours of 2 and 3 in the Afternoon, there will be exposed to Sale, by Way of publick Roup, at the House of David Moubray in Primrose, a Wood growing in the Neighbourhood of Primrose, consisting of Oak, Birch, and some Ash; any who design to buy the same, may call at the Office of Primrose, who will shew it to them any Time before the Roup.

*Fishery-Office, 5th April, 1726.*

The Managers of the Copartnery are to expose to public Sale, upon TUESDAY the TWELFTH of April Inst. at their Office, at 3 after Noon, at the following low Rates, for the Encouragement of Bidders, viz.

1 Lot, containing 7 C. 1 q. 23 l. Coils and Pieces of new Ropes, at 25 sh. per Hundred.

4 New Herring Nets, at 3 l. 10 sh. sterl. each Net.

5 Lots, containing 80 dres'd Nets, at 40 sh. sterl. each Net.

8 Lots, containing 110 undres'd ditto, at 15 sh. each Net  
Utensils for a Twine-work per Inventory, to be set up at 1, 9, 12, 8. sterl.

Ditto for a Rope Band, per ditto, to be set up at 1, 17, 20. sh. sterl.

Ditto for a Barking-house, per ditto, to be set up at 1, 14, 16 sh. 4 d. sterl.

The above Goods will be shown at Leith by David Daes, the Copartnery's Agent; and the Inventories and Articles of Roup, at their Office in the Lawn-market.

Also there will be exposed to Sale at the said Office, upon Thursday the 12th of April next, at the same Hour, 88 Laffs 13 d. of Herring-barrels, lying at Peterhead, in one Lot, at 14 sh. sterl. per Laff; and the Copartnery's hail Farms of Peterhead for Crompt 1725, consisting of 180 Bolls Oat Meal, 170 Bolls Bear, 20 Bolls of each Kind, less or more, which will be set up at 1, 4, 6, 8. Scots per Boll, over-head, and delivered at Peterhead by the usual Measure.

Notice is also hereby given, That the Certificates of the Shares of the Adventurers in the Copartnery, ordered by the last General Meeting to be issued betwixt and the first of April, are forth prepared, that all those who subscribed for themselves, are desired to call for their Certificates at the Copartnery's Office in the Lawn-market, every Tuesday from 10 to 12 in the Forenoon, and Thursday from 2 till 5 in the Afternoon.

N. B. Notice will be given in this Paper when the other Glasses are to call for theirs.

¶ That the Town and Lands of DALMARNOCK, with the Oak-Wood and Fishings belonging thereto, lying on the Side of the River of Tay, within two Miles of Dunkeld; are to be exposed to voluntary Sale on Thursday the Nineteenth Day of May next, at the Sheriff-Clerk's Office in Perth, betwixt the Hours of 2 & 4 after Noon. The Lands hold Feu of the Crown for a small Feu-duty, and pay

of yearly free Rent to the Master, after Deduction of Ministers Stipends, Schoolmasters Salaries, and all other public Burdens, the Sum of Three hundred and eleven Pounds, seventeen Shilling, four Pennies, Scots Money. And beside the foresaid yearly Rent, the Tenants constantly and regularly pay one full Years Rent of Grassum, at the Expiration of every seven Years. The Conditions of the Sale, and Progress of the Writs are to be seen in the Hands of the Sheriff Clerk of Perth, and John MacEuen Writer in Dunkeld.

N. B. That there is a very convenient Dwelling House and Gardens, situate to the Estate; and that the Oak Woods and other Woods belonging to the said Lands, are not considered in the foresaid Rental, and therefore are to be sold jointly with the Lands, or severately by themselves, conform to the Conditions of the Sale. Note also, That the Salmon Fishings on the Water of Tay, being usually in the Masters Possession, make up no Part of the foresaid Rental, but the Value will be considered in the Conditions of the Sale.

¶ To be sold, by way of public Roup or Auction, at the Burgh of Perth, in the great House belonging to the Town, upon Wednesday the 20th of April Inst. the whole Materials and Utensils of the Linen Manufactory lately belonging to the deceased Provost Austin, and last to Patrick Douglas deceased; consisting of 12 Weavers Looms furnished, &c. two great Coppers, and other Materials for Bleaching or Whitening of Linen Cloth, and a large Calendar-Mill. The ordinary Rules of Rouping to be observed. The Goods are to be shewn by Thomas Vallange, present Deacon of the Weavers at Perth.

¶ There is a Piece of SILVER PLATE, Fifteen Pound Sterl. Value, set out by the Right Honourable the Earl of March and Burgh of Peebles, to be run for on the usual Ground, upon Tuesday the 26th of April Inst. by any Horse, Mare or Gelding, not under Three at least, belonging to several Owners. This Course is to be four times round, & each Horse is to carry 8 Scots Stone Trois Weight, Whip, Saddle and Bridle being Part of the Weight. They are to be at Peebles Three free Days before the Race, and obtain themselves instantly entred by the Town-clerk, giving up the Colour of their Horses, and Names of the Riders. They are to be free of all In-puts. No Crossing or Jostling to be allowed. The rest of the Articles to be seen in the Town-clerk's Hands. THERE IS likewise another Piece of Silver Plate, Twenty Pound Sterling Value, set out by the foresaid Right Honourable Earl of March and Burgh of Peebles, to be run for on the usual Ground, upon Thursday the Fifth of May next, in Heats the best of Three, three times round each Heat, by any Horse, Mare or Gelding, not under Three at least, belonging to several Owners, each Horse to carry 8 Scots Stone Trois Weight, Whip, Bridle and Saddle being part of the Weight. The Horses are to be at Peebles Ten free Days before the Race, and obtain themselves entred five Days before the Course, giving up the Colour of these Horses and Names of their Riders, and paying in each two Guineas of In-puts. The rest of the Articles to be seen in the Town clerk's Hand. N. B. Whatever Horses come in timeously to the first Plate, and continue in the Burgh, are privileged to run at the next Plate in Terms of the Articles: But such other Horses as run not at that first Plate, are to be in Ten free Days before the May Plate, otherwise they'll not be allowed to run. THERE is yet farther a Piece of Silver Plate, Four Guineas Value, to be run for on Friday the 6th of May: And the Articles whereof may be adjusted by the Magistrates.